

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicants thank the Examiner for carefully considering this application and for indicating that the formal drawings filed on March 15, 2002, are accepted.

Disposition of Claims

Claims 1-19 were pending in the present patent application. By way of this submission, claims 9, 16, 18, and 19 have been cancelled. Also by way of this submission, claims 20-23 have been added. Accordingly, claims 1-8, 10-15, 17, and 20-23 are now pending in the present patent application. Claims 1, 2, 13, 14, and 15 are independent. The remaining claims depend, either directly or indirectly, on claims 1, 2, 13, 14, and 15.

Revocation and Substitution of Power of Attorney (POA)

A revocation and substitution of POA under 37 CFR §1.36 for the present patent application is being filed concurrently with this submission. This application has been transferred to new counsel, as indicated in the revocation and substitution of POA.

Claim Amendments

By way of this submission, claims 1, 2, 13, 14, 15, and 17 have been amended for clarification. Applicants respectfully assert no new matter has been introduced by way of these amendments as support for these amendments may be found, for example, in Figure 5, and paragraphs [0021] and [0040] of the published specification.

Rejection under 35 U.S.C. §103

Claims 1-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,167,383 (hereinafter "Henson") in view of U.S. Patent No. 6,032,129 (hereinafter "Greef"). By way of this reply, claims 9, 16, and 18 have been cancelled and thus the rejection

is moot as to those claims. As for the remaining claims, for the reasons set forth below, this rejection is respectfully traversed.

In order to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP § 2143. Applicants respectfully assert Henson and Greef, whether viewed separately or in combination, do not teach or suggest each and every limitation of the amended claims.

Amended independent claim 1 recites, in part,

...retrieves pricing information regarding an oilfield product or service
from said pricing database through said pricing function module,
the oilfield product or service comprising a plurality of
parameters;...

generates a plurality of weighting factors associated with the plurality of
parameters;

calculates a recommendation value for the oilfield product or service
based on a function of the plurality of weighting factors, the
recommendation value reflecting an extent the oilfield product or
service satisfies the one or more user requirements; and

generates a ranked list comprising the oilfield product or
service, a position of the oilfield product or service
in the ranked list is determined based on the
recommendation value, to form said response.

Amended independent claims 2, 13, 14, and 15, recite similar limitations. It is explicitly clear that the amended independent claims require at least: (i) the product or service be an oilfield product or oilfield service, (ii) each oilfield product or service have multiple parameters, (iii) weighting factors are generated for the multiple parameters, (iv) a recommendation value be calculated based on a function of the multiple parameters, the recommendation value reflecting an extent the oilfield product or service satisfies the user requirements, (v) a ranked list including the oilfield product or service be generated, and (vi) a position of the oilfield product or service in the ranked list be determined based on the recommendation value.

As an initial matter, Applicants respectfully assert both Henson and Greef are completely silent regarding oilfield products and/or oilfield services. Henson is directed towards the purchasing of a personal computer. Greef is directed towards the creation of customer-actors for use in shopping with an electronic catalog system. As neither Henson nor Greef even contemplate oilfield products and/or oilfield services, Henson and Greef, whether viewed separately or in combination, do not teach or suggest at least requirement (i) of the amended independent claims. Any attempt to equate the products/services disclosed by the cited prior art with oilfield products/services, as recited by the amended independent claims, requires expressly reading out one or more claim limitations, which is improper.

Secondly, the Examiner admits Henson does not teach or suggest the ranking/sorting of recommended products/services. In fact, the Examiner relies on Greef to teach or suggest what Henson lacks. *See*, Final Office Action dated July 12, 2006, at pages 4 and 5. Applicants acknowledge Greef discloses ranking products/services based on a customer's purchasing criteria data. *See*, Greef at column 3, lines 27-35. However, Applicants respectfully assert Greef is completely silent regarding the method for generating the rankings, as recited by the amended

independent claims. Specifically, Greef does not teach or suggest the multiple parameters associated with an oilfield product and/or service, the generation of weighting factors associated with the parameters of the oilfield product and/or service, and the calculation of a recommendation value (*i.e.*, ranking) based on a function of the weighting factors, as recited by the amended independent claims. In other words, Greef does not disclose at least requirements (iii) and (iv) of the amended independent claims. The generation of a recommended value (*i.e.*, ranking), as recited by the amended independent claims, is sufficiently complex and distinct to be neither anticipated by nor obvious in view of Greef. As Henson does not disclose the ranking/sorting of products/services (discussed above), Henson could not teach or suggest the generation of the rankings, and thus Henson does not and cannot cure what Greef lacks.

As discussed above, Henson and Greef, whether viewed separately or in combination, do not teach or suggest each and every limitation of amended independent claims 1, 2, 13, 14, and 15. Accordingly, the Examiner's contentions do not support the rejection of amended independent claims 1-2 and 13-15. Claims 3-8, 10-12, and 17 depend, either directly or indirectly, from claims 2 and 15. Thus, the Examiner's contentions also do not support the rejection of claims 3-8, 10-12, and 17. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 19 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Henson, in view of Greef, in view of Official Notice. By way of this reply, claim 19 has been cancelled and thus the rejection is moot as to claim 19. Accordingly, withdrawal of this rejection is respectfully requested. Further, Applicants respectfully reserve the right to challenge the Examiner's Office Notice and assertions regarding the subject matter of now-cancelled claim 19.

New Claims

By way of this reply, claims 20-23 have been added. Applicants respectfully assert no new matter has been introduced by way of these additions as support for these additional claims may be found for example in Figure 5 and paragraph [0040] of the published specification. For at least the same reasons as cited above regarding claims 1, 2, 13, and 15 (to which at least one of the claims 20-23 depend), applicant respectfully asserts that Henson and Greef, whether viewed separately or in combination, do not teach or suggest each and every limitation of claims 20-23. Accordingly, claims 20-23 are, therefore, allowable for at least the same reasons as claims 1, 2, 13, and 15.

Conclusion

Applicants believe this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number: 09469/108001).

Dated: October 9, 2007

Respectfully submitted,

By /Robert P. Lord/
Robert P. Lord
Registration No.: 46,479
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)
Attorney for Applicants